

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	CHAPTER 13
<b>WILLIAM HARVEY GOODLING</b>	:	
<b>fdba William H. Goodling Construction</b>	:	CASE NO. 1:21-bk-01819
<b>KELLY JEAN GOODLING,</b>	:	
<b>Debtors</b>	:	
	:	
<b>WILLIAM HARVEY GOODLING</b>	:	
<b>fdba William H. Goodling Construction</b>	:	
<b>KELLY JEAN GOODLING,</b>	:	
<b>Movants</b>	:	
	:	
	:	
<b>v.</b>	:	
	:	
<b>SCOTT SMITH, SMITH ELECTRIC,</b>	:	
<b>Respondent</b>	:	

**MOTION TO AVOID LIEN OF RESPONDENT  
UNDER SECTION 522(f) OF THE BANKRUPTCY CODE**

COME NOW the Debtors, by and through Dorothy L. Mott, Esquire and make this Motion respectfully stating in support thereof:

1. The Debtors filed a Chapter 13 Petition on 8/18/2021.
2. The Debtors are adult individuals residing at 395 Alison Avenue Mechanicsburg, PA 17055 .
3. Respondent has a mailing address of SCOTT SMITH, 3223 SEAGERTOWN ROAD, BLAIN, PA 17006, .
4. The Respondent holds a judicial lien against the Debtors in the amount of \$4,926.50 entered in Cumberland County at docket number # 2014-02566.
5. The Debtors have listed all property the Debtors own on the Bankruptcy schedules.
6. All property listed by the Debtor has been exempted as follows:

Asset	Value	Lien	Exemption	Equity
395 Alison Avenue, Mechanicsburg, PA 17055	\$350,000.00	\$369,206.61	11 U.S.C. § 522(d)(1)	\$0.00

7. No one has challenged either the value of the property or the exemption claimed.
8. The Respondents do not have a purchase money security interest in household goods, or a possessory interest.
9. The judgment of the Respondent impairs the exemption of the Debtors under Section 522(d) of the Bankruptcy Code. The judgment is a judicial lien.
10. The Debtors seek under Section 522(f) of the Bankruptcy Code to avoid the judgment of the Respondent.

WHEREFORE, the Debtors respectfully request that this Court enter an Order avoiding the aforesaid judgment under Section 522(f) of the Bankruptcy Code and granting such other relief as this Court deems just.

Respectfully submitted,

/s/ Dorothy L. Mott

Dorothy L. Mott, Esquire  
Attorney ID #43568  
Mott & Gendron Law  
125 State Street  
Harrisburg, PA 17101  
(717) 232-6650 TEL  
(717) 232-0477 FAX  
doriemott@aol.com

**IN RE:**  
**WILLIAM HARVEY GOODLING**  
**fdba William H. Goodling Construction**  
**KELLY JEAN GOODLING,**  
**Debtors**  
  
**WILLIAM HARVEY GOODLING**  
**fdba William H. Goodling Construction**  
**KELLY JEAN GOODLING,**  
**Movants**  
  
**v.**  
  
**SCOTT SMITH, SMITH ELECTRIC,**  
**Respondent**

/s/ Dorothy L. Mott  
Dorothy L. Mott, Esquire  
Attorney ID #43568  
Mott & Gendron Law  
125 State Street  
Harrisburg, PA 17101  
(717) 232-6650 TEL  
(717) 232-0477 FAX  
doriemott@aol.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	<b>CHAPTER 13</b>
<b>WILLIAM HARVEY GOODLING</b>	:	
<b>fdba William H. Goodling Construction</b>	:	<b>CASE NO. 1:21-bk-01819</b>
<b>KELLY JEAN GOODLING,</b>	:	
<b>Debtors</b>	:	
	:	
<b>WILLIAM HARVEY GOODLING</b>	:	
<b>fdba William H. Goodling Construction</b>	:	
<b>KELLY JEAN GOODLING,</b>	:	
<b>Movants</b>	:	
	:	
	:	
<b>v.</b>	:	
	:	
<b>SCOTT SMITH, SMITH ELECTRIC,</b>	:	
<b>Respondent</b>	:	
	:	

**ORDER**

UPON consideration of the foregoing Motion to Avoid Judgment of Respondent under Section 522(f) of the Bankruptcy Code , it is hereby

ORDERED AND DECREED that the relief prayed for in the Motion be, and hereby is granted, to wit, the judgment of SMITH ELECTRIC in the approximate amount of \$4,926.50 entered in Cumberland County at docket number # 2014-02566 be and hereby is avoided; it is further

ORDERED AND DECREED that a certified copy of this Order may be filed with the Prothonotary of Cumberland County and the Prothonotary is directed to terminate the judgment in the judgment indices.

**UNITED STATES BANKRUPTCY COURT**  
**MIDDLE DISTRICT OF PENNSYLVANIA**

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):  
Chapter:13

William Harvey Goodling  
fdba William H. Goodling Construction  
Kelly Jean Goodling

Debtors

Case number:1:21-bk-01819

Matter: Motion to Avoid Lien

William Harvey Goodling  
fdba William H. Goodling Construction  
Kelly Jean Goodling

Movants

vs,  
SCOTT SMITH, SMITH ELECTRIC  
Respondent

**NOTICE**

NOTICE OF OPPORTUNITY TO OBJECT AND HEARING: Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection or other matter without further notice or hearing unless a party in interest files an objection/response within twenty-one (21) days of the date of the notice. If you object to the relief requested, you must file your objection/response with the Clerk, U. S. Bankruptcy Court, 228 Walnut Street, Room 320, Harrisburg PA 17101 and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

Date: October 19, 2021

Dorothy L Mott, Esquire  
Attorney ID #43568  
Mott & Gendron Law  
125 State Street  
Harrisburg PA 17101  
(717)232-6650 TEL  
(717)232-0477 FAX  
doriemott@aol.com